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*Regina D. McKinney*  
Regina D. McKinney

October 6, 2003

Commissioner for Patents  
Mail Stop Patent Application  
PO Box 1450  
Alexandria, VA 22313-1450

Re: Appl. No.10/654737; Filed: September 4, 2003  
For: IMPROVED METHOD OF GENERATING INFLUENZA  
VIRUSES AND VACCINES  
Inventors: Webster, *et al*  
Our Ref: SJ-02-0016

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Information Disclosure Statement (2 pages)
2. Patent and Trademark Office form PTO/SB/08a (2 pages)
3. Copies of references AA1 through AL1
4. A self-addressed and stamped return postcard

Regards,

*Shawn A. Hawkins*

Shawn A. Hawkins  
Reg. No. 50,318  
Associate Director  
Office of Technology Licensing

Enclosures



10-07-02  
Attorney's Docket No. SJ-02-0016

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Webster	Group Art Unit:	Not assigned
Appl. No.:	10/654737	Examiner:	Not assigned
Filed:	September 4, 2003		
For:	Improved Method for Generating Influenza Viruses and Vaccines		

Mail Stop Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
CITATION UNDER 37 CFR § 1.97**

Sir:

In accordance with 37 CFR §1.56, Applicants wish to call the Examiner's attention to the references cited on the attached form Patent and Trademark Office form PTO/SB/08A.

A copy of the listed non-patent references are enclosed herewith in accordance with 37 CFR §1.98(a)(2). Copies of cited US patents and published US patent applications are not included pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i).

The Examiner is respectfully requested to consider the foregoing in relation to this application including an indication thereof by making the cited references of record herein and to indicate that the references were considered by initialing and returning a copy of the PTO-1449 form to Applicants.

In accordance with 37 C.F.R. §1.97(b)(1), no fee is believed to be required for consideration of this statement because it is being submitted within three months of the filing date for the above-captioned application.

The Commissioner is hereby authorized to charge any additional fees required, or to credit any overpayment, to Deposit Account No. 501968.

Respectfully submitted,

*Shawn A. Hawkins*

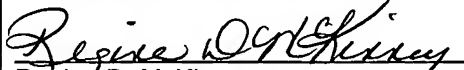
Shawn A. Hawkins  
Attorney/Agent for Application  
Registration No. 50,318

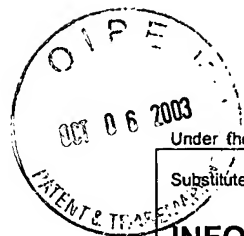


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**October 6, 2003**

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Regina D. McKinney



PTO/SB/08a (08-03)

Approved for use through 7/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Sheet	1	of	2	Application Number	10/654737
				Filing Date	09/04/2003
				First Named Inventor	Webster
				Art Unit	Unknown
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	SJ-02-0016

**US PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication or issue Date	Name of Patentee or Applicant of Cited Document	Name of Inventor(s)
		Number-Kind Code <sup>2</sup> (if known)	MM-DD-YYYY		
	A1	US-20030035814	02/20/2003		Kawaoka; Neumann
	A2	US-20020164770	11/07/2002	St. Jude Children's Research Hospital	Hoffmann

**FOREIGN PATENT DOCUMENTS**

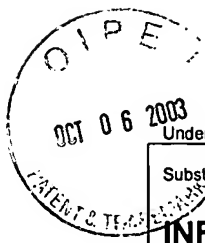
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Page, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/654737	
			Filing Date	09/04/2003	
			First Named Inventor	Webster	
			Art Unit	Unknown	
Examiner Name	Not Yet Assigned				
Sheet	2	of	2	Attorney Docket Number	SJ-02-0016

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher city and/or country where published	T <sup>2</sup>
	AA1	LAU, S.C.; SCHOLTISSEK, C., "Abortive Infection of Vero Cells by an Influenza A Virus (FPV)" <i>Virology</i> , 212:225-231 (1995)	
	AB1	PALESE, P., <i>et al.</i> "Negative-strand RNS viruses: Genetic engineering and applications" <i>PNAS</i> , 93:11354-11358 (1996)	
	AC1	FODOR, E., <i>et al.</i> "Rescue of Influenza A Virus from Recombinant DNA" <i>Journal of Virology</i> , 73:9679-9682 (1999)	
	AD1	SUBBARAO, K., <i>et al.</i> , "Evaluation of a Genetically Modified Reassortant H5N1 Influenza A Virus Vaccine Candidate Generated by Plasmid-Based Reverse Genetics" <i>Virology</i> , 305:192-200 (2003)	
	AE1	Stohr, K. "The Global Agenda on Influenza Surveillance and Control" <i>Vaccine</i> , 21:1744-1748 (2003)	
	AF1	Govorkova, E.A., <i>et al.</i> "Growth and Immunogenicity of Influenza Viruses Cultivated in Vero or MDCK Cells And Embryonated Chicken Eggs" <i>Dev Biol Stand</i> 98:39-51 (1999)	
	AG1	Govorkova, E.A., <i>et al.</i> "Replication of Influenza A viruses in a Green Monkey Kidney Continuous Cell Line (Vero)" <i>Journal of Infectious Diseases</i> 172:250-253 (1995)	
	AH1	Govorkova, E.A. <i>et al.</i> "African Green Monkey Kidney (Vero) Cells Provide an Alternative Host Cell System for Influenza A and B Viruses" <i>Journal of Virology</i> 70:5519-5524 (1996)	
	AI1	Hoffman, E., <i>et al.</i> "A DNA Transfection System for Generation of Influenza A Virus from Eight Plasmids" <i>PNAS</i> 97:6108-6113 (2000)	
	AJ1	Neumann, G., <i>et al.</i> "Generation of Influenza A Viruses entirely from Cloned cDNAs" <i>PNAS</i> 96:9345-9350 (1999)	
	AK1	Palese, P., <i>et al.</i> "Influenza vaccines: present and future" <i>J. Clin. Invest</i> 110:9-13 (2002)	
	AL1	NEUMANN, G. <i>et al.</i> "Genetic Engineering of Influenza and Other Negative-Strand RNA Viruses Containing Segmented Genomes", <i>Advances in Virus Research</i> 53:265-300 (1999)	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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